

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

UNITED STATES OF AMERICA

v.

STARSHA ANN LIMBUAGH

SHANE NAVINSKI JOHNSON

ROGER JAMES FULLBRIGHT, II

WILLIAM DH TURNER

CR. NO. 6:20-465

ELEMENTS

ESSENTIAL ELEMENTS OF VIOLATION OF 18 U.S.C. §371

The crime of conspiracy has three essential elements which are:

ONE: The conspiracy, agreement, or understanding as described in the indictment, was formed, reached, or entered into by two or more persons;

TWO: At some time during the existence or life of the conspiracy, agreement, or understanding, the defendant knew the purpose of the agreement, and with that knowledge, then deliberately joined the conspiracy, agreement, or understanding; and

THREE: At some time during the existence or life of the conspiracy, agreement, or understanding, one of its alleged members knowingly performed one of the overt acts charged in the indictment and did so in order to further or advance the purpose of the agreement.

3. Maximum possible punishment on each count, including any mandatory minimum.

Count 1

MAXIMUM PENALTY FOR 18 USC 371

1. Fine of \$250,000.00 and/or
2. Imprisonment for five (5) years, and
3. Supervised Release of three (3) years, and
4. Special Assessment of \$100.00

ESSENTIAL ELEMENTS OF VIOLATION OF 18 U.S.C. § 1028A(a)(1)

The crime of aggravated identity theft has four essential elements which are:

ONE: The Defendant knowingly, transferred, possessed, or used;

TWO: Without lawful authority;

THREE: The means of identification of another person; and

FOUR: During or in relation to a felony enumerated in § 1028A(c).

Maximum possible punishment on each count, including any mandatory minimum.

Count 2

MAXIMUM PENALTY FOR 18 USC 1028A(a)(1)

1. Fine of \$250,000.00 and/or
2. Imprisonment for two (2) years consecutive to any other term of imprisonment, and
3. Supervised Release of one (1) year, and
4. Special Assessment of \$100.00

ESSENTIAL ELEMENTS OF VIOLATION OF 18 U.S.C. § 1028(a)(7)

ONE: The defendant knowingly transferred, possessed, or used, without lawful authority, a means of identification of another person.

TWO: The defendant did so with the intent to commit, or to aid or abet, or in connection with, any unlawful activity that constitutes a violation of Federal law, or that constitutes a felony under any applicable State or local law.

THREE: The transfer, possession, or use of the means of identification was in or affected interstate or foreign commerce.

Maximum possible punishment on each count, including any mandatory minimum.

Count 3

MAXIMUM SENTENCE

1. Fine of \$250,000.00 and/or
2. Imprisonment for fifteen (15) years, and
3. Supervised Release of three (3) years, and
4. Special Assessment of \$100.00